

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of	:	<b>Attorney Docket No. 0074-537949</b>
	:	
<b>Simon Anthony BROWN et al.</b>	:	<b>Art Unit 2823</b>
	:	
Application No. 10/573,123	:	<b>Examiner Ankush K. Singal</b>
	:	
U.S. National Phase of	:	
Int'l Appln. No. PCT/NZ04/00230	:	
	:	
Filing Date: November 13, 2006	:	Confirmation No. 4961
	:	
For: <b>ETCH MASKS BASED ON</b>	:	
<b>TEMPLATE-ASSEMBLED</b>	:	
<b>NANOCLUSTERS</b>	:	

**REQUEST FOR RECONSIDERATION**

In response to the Official Action mailed on June 15, 2007 setting forth a restriction requirement, the Applicants hereby provisionally elect Group I, Claims 1-38 and 40. This election is made *with traverse*.

**REMARKS**

In making the restriction requirement, the Examiner conceded that the inventions of Groups I and II are directed to related processes. The Examiner further stated: "The related inventions are distinct if the (1) the [sic] inventions as claimed are either not capable of use together or can have a materially different design, mode of operation, function, or effect; (2) the inventions do not overlap in scope, i.e., are mutually exclusive; and (3) the inventions as claimed are not obvious variants." The Examiner went to state that the invention of Group I includes deposition of a plurality of particles and the invention of Group II includes deposition of clusters.